

akerman

MEMO ENDORSED

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 7/3/2018

July 2, 2018

D: 212 259 8715
T: 212 880 3800
F: 212 880 8965
DirF: 212 905 6467

VIA CM/ECF

The Honorable Valerie Caproni
United States District Judge
U.S. District Court for the Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

Re: *Biglang-Awa v. Brooks Brothers Group, Inc.*, Docket No. 1:18-cv-05201

Dear Judge Caproni:

We represent Brooks Brothers Group, Inc. ("Brooks Brothers"), defendant in the above-captioned matter. With Plaintiff Sheila Biglang-Awa's ("Plaintiff") consent, Brooks Brothers respectfully requests a fourteen (14)-day extension of time to respond to Plaintiff's Complaint, through and including July 19, 2018.

Plaintiff filed her Complaint on June 10, 2018 and served Brooks Brothers with a copy of the Complaint and Summons via the New York Secretary of State on June 13, 2018. Based on the proof of service, the deadline for Brooks Brothers to answer or otherwise respond to the Complaint is July 5, 2018.¹

Brooks Brothers respectfully submits that an extension is warranted because: (1) Brooks Brothers is in the process of investigating the allegations in the Complaint; (2) Brooks Brothers' counsel is scheduled to be out of the office on a pre-planned vacation during the week of the Fourth of July; and (3) additional time is required for the parties to informally discuss the allegations and to permit Brooks Brothers to prepare an adequate answer, response, or other pleading in response to the Complaint.

Pursuant to the Court's Individual Practices, Brooks Brothers' counsel contacted Plaintiff's counsel and obtained Plaintiff's consent to the requested extension. This is Brooks Brothers' first request

¹ The twenty-one day deadline to respond to the Complaint falls on July 4, 2018, which is a legal holiday. As a result, pursuant to Fed.R.Civ.P. 6(a)(1)(C), the deadline falls on the next day that is not a Saturday, Sunday, or legal holiday, *i.e.*, July 5, 2018.

The Honorable Valerie Caproni

July 2, 2018

Page 2

for an extension of time to respond to the Complaint. Extending Brooks Brothers' time to respond to the Complaint will not adversely impact any other case deadlines.

Finally, given the agreement of the parties and the reasons articulated above, Brooks Brothers respectfully requests that the Court grant the requested relief. The parties thank the Court for its attention to this matter.

Respectfully submitted,

/s/ Melissa Overbeck

Melissa A. Overbeck, Esq.

cc: All Counsel of Record (Via CM/ECF)

Application GRANTED.

SO ORDERED.



HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE

7/3/2018